



Op 1637 1/1

Attorney Docket No. 294-78

In re Application of: Van Ommen, et al.

Serial No.: 09/445,174

Confirmation No.: 9590

Filed: April 24, 2000

For: DIAGNOSTIC TEST KIT FOR
DETERMINING A PREDISPOSITION FOR
BREAST AND OVARIAN CANCER,
MATERIALS AND METHODS FOR SUCH
DETERMINATION

COMMISSIONER FOR PATENTS
Washington, DC 20231

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Sir:

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Transmitted herewith is an Amendment in the above-identified application.

Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 20	MINUS	** 41	=
INDEP.	* 4	MINUS	*** 3	= 1

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	ADDL. FEE		RATE	ADDL. FEE
x 9=	\$		x 18=	\$
x 42=	\$42.00		x 84=	\$
x 140=	\$		x 280=	\$
TOTAL	\$ 42.00		TOTAL	\$ 0.00

x 9=	\$
x 42=	\$42.00
x 140=	\$
TOTAL	\$ 42.00

OR

FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS

* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.
** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 20, write "20" in this space.
*** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" in this space is less than 3, write "3" in this space. The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior amendment or the number of claims originally filed.

Please charge my Deposit Account No. 08-2461 in the amount of \$_____. A duplicate copy of this sheet is attached.

A check in the amount of \$42.00 is attached.

The Commissioner is hereby authorized to charge any fees or additional fees associated with this communication or credit any overpayment to Deposit Account No. 08-2461. A duplicate copy of this sheet is attached.

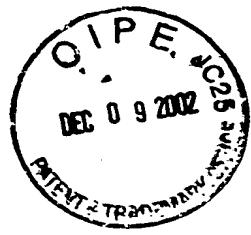
Any filing fees under 37 C.F.R. 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 C.F.R. 1.17.

Respectfully submitted,

Irving N. Feit
Registration No. 28,601

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Van Ommen, et al. Examiner: J. Fredman
Serial No.: 09/445,174 Group Art Unit: 1637
Filed: April 24, 2000 Docket: 294-78
For: DIAGNOSTIC TEST KIT FOR DATED: December 3, 2002
DETERMINING A
PREDISPOSITION FOR
BREAST AND OVARIAN
CANCER, MATERIALS AND
METHODS FOR SUCH
DETERMINATION

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Washington, DC 20231

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AMENDMENT UNDER 37 C.F.R. §1.111

Sir:

In response to the Non-final Office Action in the above-captioned case issued by the U.S. Patent and Trademark Office on June 3, 2002, Applicants submit the following amendments and remarks:

In the claims:

Please cancel claims 19-55 and add new claims 56-71 as follows:

15. (Amended) A diagnostic test kit for detecting a predisposition for breast cancer, comprising a means for detecting the presence in a sample of a nucleic acid derived from a BRCA1 gene having a deletion of a stretch of nucleotides in the BRCA1 gene, wherein said deletion comprises exon 13 or exon 22.

16. A diagnostic test kit according to claim 15, wherein the means comprises at least one probe for hybridization.

17. A diagnostic test kit according to claim 15, wherein the means comprises the necessary elements for Southern blotting.